

## D.C. Court of Appeals Judge Frank Schwelb Dies

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Frank Schwelb. Photo: Diego M. Radzinski/NLJ

District of Columbia Court of Appeals Judge Frank Schwelb, who served as a judge in the city's local courts since 1979, died on Aug. 13.

Schwelb, 82, was appointed to the city's highest local court in 1988. He became a senior judge in 2006 and had sought another two-year term in April. According to The Washington Post, he died of cardiopulmonary ailments.

"Frank was a great colleague, a brilliant lawyer, and an esteemed jurist," D.C. Court of Appeals Judge Eric Washington said in a statement. "He turned the tragedy of his wartime escape from his homeland into a life-time commitment to civil rights and justice for all. He will be truly missed by his DC Courts family."

Schwelb was born in Prague and went to Britain as a refugee before moving to the United States with his family when he was 15 years old. He earned his law degree from Harvard Law School in 1958 after serving in the U.S. Army.

Following a brief stint in private practice, Schwelb joined the U.S. Department of Justice Civil Rights Division in 1962. In 1969, he became the first chief of the division's Housing Section where he pursued discrimination cases across the United States. He was appointed as a trial judge in the D.C. Superior Court in 1979.

Schwelb remained active in cases in the appeals court up until recently. In June, he was part of a three-judge panel that ruled that a Washington attorney suing a Wikipedia editor for defamation couldn't force the editor to reveal his identity. He authored an opinion released later that month in a juvenile delinquency case.

Schwelb was known to add cultural references to his rulings. As The Washington Post noted, he cited Shakespeare, John Keats and the composers Gilbert and Sullivan. In December, Schwelb began an opinion about a technological failing at the D.C. Office of Tax & Revenue with the following:

"In the 1984 film The Terminator—a work of fiction starring Arnold Schwarzenegger—artificially intelligent machines attempted to exterminate what was then left of the human race," the judge wrote. "In the appeal now before us, a man-made computer system did not go so far but, defying the will of those who programmed it, it caused significant grief and distress to those who had a right to rely on its accuracy."

Schwelb is survived by his wife Taffy Wurzburg Schwelb.